

ASSEMBLY BILL

No. 2402

Introduced by Assembly Member Rod Pacheco

February 21, 2002

An act to add Section 22353 to the Vehicle Code, relating to speed limits.

LEGISLATIVE COUNSEL'S DIGEST

AB 2402, as introduced, Rod Pacheco. Speed limits: City of Norco: pedestrian and equestrian trails.

Existing law prohibits any person from driving a vehicle at a speed greater than the speed limit. Existing law generally sets forth prima facie speed limits unless changed or otherwise authorized by law.

This bill would authorize a city to establish a prima facie speed limit of 25 miles per hour on any highway, street, or road, other than a state highway, where the highway, street, or road and the equestrian and pedestrian trails meet specified criteria.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22353 is added to the Vehicle Code, to
2 read:
3 22353. (a) Notwithstanding any other provision of law, a city
4 may establish a prima facie speed limit of 25 miles per hour on any
5 highway, street or road, other than a state highway, that meets the
6 following criteria:

1 (1) Traffic is so close as to endanger equestrians or pedestrians
2 using the designated pedestrian and equestrian trails established by
3 the city council.

4 (2) Streets or roadways with travel lanes within three feet or
5 less of the closest edge of an adjacent pedestrian or equestrian trail,
6 in any area lacking curb and gutter or barrier specifically designed
7 to withstand vehicle impacts, shall be deemed a hazard to
8 pedestrians and equestrians. These areas may be designated for
9 reduced speed limits based upon a finding by the city council that
10 traffic volume and trail usage is sufficient to create a danger to
11 pedestrians, equestrians, and vehicular traffic.

12 (b) The pedestrian and equestrian trails shall meet the
13 following criteria:

14 (1) The pedestrian and equestrian trails shall be irrevocably
15 dedicated easements or fee interests as provided for in the
16 municipal code and shall be created and recognized only in those
17 areas with a sufficient right of way for a minimum seven-foot wide
18 trail.

19 (2) Sixty percent of the total lineal footage adjacent to the trail
20 shall be without barrier within a continuous section. Driveway
21 openings shall not be counted as areas missing barrier.

22 (3) These continuous sections shall be defined by intersecting
23 streets and shall not be in less than one-half mile increments.

24 (c) These streets and roadways shall be designated by
25 ordinance and shall be posted with both 25 miles per hour speed
26 limit signs and with appropriate warning signs of adjacent
27 pedestrian and equestrian trails.

28 (d) Prima facie limits established by the above shall supersede
29 the establishment of 85th percentile speed limits on collector and
30 arterial streets designated on the functional classification map for
31 the city.

